

House Agriculture Committee Chairman K. Michael Conaway (TX-11): “WOTUS has never been about clean water, it was about feeding the Obama EPA’s insatiable appetite for power. Well that ends now. Today’s EPA announcement is an important first step to getting the federal government out of America’s backyards, fields and ditches and restoring certainty and integrity to our regulatory process. But our work isn’t done. As the case of California farmer John Duarte clearly highlights, the Corps and DOJ also need to re-evaluate and revise their enforcement of the Clean Water Act and WOTUS to ensure we protect our farmers and ranchers from onerous fines and penalties that threaten their way of life. I have confidence this administration will get the policy right and allow farmers and ranchers to be the capable stewards of the land they’ve always been.”

U.S. Rep. Bob Gibbs (OH): “I applaud Administrator Pruitt’s announcement to withdraw the Obama-era Waters of the United States rule, which expanded federal authority at the expense of the states and eroded private property rights. The EPA should not treat farmers, ranchers, homebuilders, local governments, or state environmental agencies as adversaries but rather collaborators in drafting a new WOTUS rule. American farmers who feed the world are among those most concerned with protecting our environment. The next WOTUS rule should take their opinions and concerns into account and I look forward to working with Administrator Pruitt to craft a reasonable rule that protects the environment and private property rights at the same time.”

Industry

U.S. Chamber of Commerce Senior Vice President for Environment, Technology, and Regulatory Affairs Bill Kovacs: “We commend EPA for taking an analytical approach to repealing and fixing the misguided WOTUS rule. Now, all stakeholders will have an opportunity to provide public comment, and the agency will have the proper time to analyze the input and unwind a confusing rule that impacted America’s businesses, farmers, and land owners. The final WOTUS rule issued by the last administration was unworkable, a fact acknowledged by courts around the country, and amounted to a massive grab of regulatory authority by an EPA that was overreaching. We look forward to working with Administrator Pruitt and his team to craft a rule that protects public health and the environment, while giving clarity and certainty to our nation’s farmers and job creators.”

National Farmers Union (NFU) President Roger Johnson: “Family farmers and ranchers are the stewards of our land, and they understand the importance of clean water today and for future generations. Farmers also need regulatory certainty. NFU was engaged in the WOTUS rulemaking process to ensure family farmers ended up with an appropriate and definitive final rule, yet opposed the final WOTUS rule because it was ultimately an expansion of the Clean Water Act’s jurisdiction. Any new rule should ensure the agriculture community can conduct its business free from fear of undue regulatory interference and without sacrificing the agencies’ ability to protect the United States’ water resources.”

Texas farmer Wesley Spurlock, president of the National Corn Growers Association: “The goal of the Clean Water Act is to restore and maintain the integrity of the nation’s waters. The 2015 rule moved us further away from that goal. Repealing it is an important first step toward providing farmers the certainty and clarity we have long desired. We are thankful this Administration is working to draw clear lines in terms of what is and what is not jurisdictional under the Clean Water Act. In doing so, they will enable farmers to implement best management practices such as grass waterways and buffer strips without the burden of bureaucratic red tape or fear of legal action. These types of land improvements have enormous water quality benefits, such as reducing sediment and nutrient runoff—a win for farmers and the environment. Government should be making these actions easier, not more difficult. We salute the EPA and Army Corps of Engineers for their efforts. We stand committed to working with these agencies as they develop a new rule that defines jurisdictional boundaries in clear terms that are inclusive of the realities of farming.”

National Rural Electric Cooperative Association (NRECA) CEO Jim Matheson: “We appreciate EPA Administrator Pruitt recognizing the need to revisit this overbearing regulation and avoid needless increased costs for millions of electric co-op consumers. As written, the rule would dramatically expand federal oversight of features that only hold water after a rain. This would have increased costs and impaired the ability of co-ops to build and maintain power lines. We encourage EPA and the Army Corps of Engineers to propose a new common-sense rule that recognizes the role of the states, protects the environment, and allows co-ops to continue providing affordable and reliable power.”

Zippy Duvall, president, American Farm Bureau Federation: “Farmers and ranchers across this country are cheering EPA’s proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day. But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That’s why our federal courts blocked it from going into effect for the past two years. Today’s announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected. Farm Bureau looks forward to supporting Administrator Pruitt’s proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states.”

National Mining Association (NMA) President and CEO Hal Quinn: “This sets in motion a welcome correction to a deeply problematic regulation that ignored the careful balance that Congress struck between federal and state water regulation and Constitutional limits on federal authority. Under the guise of clarifying federal Clean Water Act jurisdiction, the WOTUS rule impermissibly expanded federal jurisdiction to virtually any standing body of water -- from roadside drainage ditches to local green energy projects. We look forward to working with the administration as it replaces the WOTUS rule with environmentally responsible policies that provide regulatory clarity for businesses and proper recognition of state authority to manage water quality as Congress intended.”

Edison Electric Institute (EEI) President Tom Kuhn: “EEI’s member companies are committed to a healthy environment and to a clean and affordable energy future. By rescinding the problematic Waters of the United States (WOTUS) rule, EPA Administrator Pruitt and the Army Corps of Engineers have taken an important step to reconsider a rule that, if left unchanged, would have triggered substantial new regulatory requirements for critical electric company operations, creating substantial compliance costs. As EEI and allied stakeholders consistently have noted through comments and through our participation in litigation challenging the current WOTUS rule, our industry supports a new rulemaking that more clearly and narrowly defines which waterbodies are subject to federal jurisdiction, and enhances opportunities to streamline energy infrastructure permitting. We also thank EPA and the Army Corps of Engineers for seeking more input from the states on the rulemaking, and look forward to working with their staffs as they review and revise the regulations.”

National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain: “The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule.”

Environmental Council of the States (ECOS) President John Linc Stine, Commissioner of the Minnesota Pollution Control Agency: "Today's proposed rule is a key step in creating an opportunity to develop a regulatory approach to defining waters of the United States in a fully collaborative fashion. We look forward to a productive, results-oriented conversation among states, EPA, the Army Corps of Engineers, and all stakeholders to provide greater regulatory certainty and clarity, and to ensure that waters are protected by an appropriate allocation of state and federal laws, regulations, programs, and resources."

National Stripper Well Association Chairwoman Darlene Wallace: "Today's actions by President Trump in repealing the deeply misguided Waters of the United States rule implemented by the last administration gives NSWA membership cause to celebrate the President keeping his promises and working to protect small businesses and oil and gas producers. The terrible impacts facing small oil and gas producers as a result of the over expansive and unnecessary regulation proposed by the previous administration are wiped away putting another promise kept and another sign that relief for American businesses is on the way. NSWA also wants to thank Administrator Pruitt and all the staff at EPA for their hard work in delivering this relief for the American workers."

American Exploration & Mining Association Executive Director Laura Skaer: "Our members are greatly encouraged to see the Trump administration undo this unnecessary rule and return states' authority over water regulation and regulatory certainty that is crucial to a prosperous American mining industry. Mining is ready to get back to work and grow communities. Ending this deeply flawed rule allows us to do just that."

National Cattlemen's Beef Association President Craig Uden: "This is another great step in the right direction, and the Administration deserves a great deal of credit for injecting some much-needed common sense into our nation's environmental policies. It's important to remember, though, that this rule isn't dead yet. The rulemaking process continues, and NCBA will submit and solicit additional comments on behalf of America's cattle producers so that they finally get the sanity and clarity they need on land use policy."

Public Lands Council President Dave Eliason: "We applaud President Trump and Administrator Pruitt for their leadership in repealing the 2015 WOTUS rule. Ranchers in the West are already subject to an elevated level of regulatory overreach, and the WOTUS rule as written would have only made the problem worse. It is reassuring to see the steps that this administration is taking to relieve some of that regulatory burden and provide certainty for our producers."

National Pork Producers Council President Ken Maschhoff: "This is great news for America's pork producers. The WOTUS rule was a dramatic government overreach and an unprecedented expansion of federal authority over private lands. It was the product of a flawed regulatory process that lacked transparency and likely would have been used by trial lawyers and environmental activists to attack farmers. We're extremely grateful to President Trump and EPA Administrator [Scott] Pruitt for recognizing the dire consequences this ill-advised Obama-era regulation would have had on pork producers and all of American agriculture."

American Petroleum Institute Upstream and Industry Operations Group Director Erik Milito: "Today's action by the administration will help spur U.S. job creation by providing the regulatory certainty needed to encourage investment and advance America's energy leadership. This rule would have imposed burdensome and costly regulations, and stifled energy production with little to no environmental benefit. API member companies are committed to protecting the environment, but this rule represented a broad and unwarranted expansion of the federal government, especially when the Clean Water Act already prohibits discharges of pollutants that ultimately flow into navigable waters. We applaud the administration's actions to rescind this harmful rule and to recognize that our industry is part of the solution in helping create American jobs, boost

the economy, and protect the environment. We look forward to working with the administration on forward-looking policies that eliminate regulatory uncertainty for businesses.”

John Konkus

Deputy Associate Administrator

Office of Public Affairs

Environmental Protection Agency

Cell: **Ex. 6**

Message

From: Barbery, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E219352056EA405A97C93FD9756CEB2B-ABARBERY]
Sent: 6/28/2017 5:14:09 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]; Osinski, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a72876794204ff0937fd23848837cc6-MOsinski]; Borum, Denis [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f385dc95b8714c7cb74334eed0e1474d-DBorum]; Hanson, Andrew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=976b280c3eaf4e50b91a25d75466cf3c-Hanson, Andrew]; Beckmann, Ronna Erin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ca0a5c6dfb9f407cbc70b71eeab91ace-Rbeckman]; Fortin, Denise [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7e58c489d49f46629d3512e1e9731135-DGawlins]; Deamer, Eileen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f2d19c60656344f5b14361c0acc826d2-EDeamer]
Subject: WOTUS letter from Cmsr Pigott (IN)
Attachments: IN DEM - WOTUS_6-19-17_AX-17-001-0549.pdf

Hi Tate,

Attached and in your inbox is a June 19, 2017 letter from Indiana DEM Commissioner Pigott on WOTUS (AX-17-001-0549).

Thanks,
Andrea
202-564-1397

-----Original Message-----

From: cmsadmin@epa.gov [mailto:cmsadmin@epa.gov]
Sent: Tuesday, June 27, 2017 4:33 PM
To: Eades, Cassaundra <Eades.Cassaundra@epa.gov>; Scott, Sonya <scott.sonya@epa.gov>; Labbe, Ken <Labbe.Ken@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Wilkes, Quianna <Wilkes.Quianna@epa.gov>; Mims, Kathy <Mims.Kathy@epa.gov>; Scales, Wuanisha <Scales.Wuanisha@epa.gov>; Tillery, Loreto <Tillery.Loreto@epa.gov>; Banks, Portia <Banks.Portia@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Hannon, Arnita <Hannon.Arnita@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>; Cook-Shyovitz, Becky <Cook-Shyovitz.Becky@epa.gov>; Cheatham-Strickland, Latonia <Cheatham-Strickland.Latonia@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Kuhn, Kevin <Kuhn.Kevin@epa.gov>
Subject: CMS New Assignment - Jacqueline Leavy - AX-17-001-0549

Control AX-17-001-0549 has been assigned to your office on 6/27/17 4:33 PM by Jacqueline Leavy. Please go to the CMS webpage to view the details of the control.

Summary Information -
Control Number: AX-17-001-0549
Control Subject: Waters of the United States
From: Pigott, Bruno L.

Note: This Email was automatically generated. Please do not attempt to respond to it. You can access this control at <https://cms.epa.gov/cms>. Questions or comments concerning CMS should be directed to CMS Support at 202-564-4985 or CMS.Information@epa.gov.

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Deborah Hohlt
Sent: Wed 6/28/2017 4:15:35 PM
Subject: Fwd: Governor Holcomb Statement on Waters of the United States
[IDEM WOTUS Letter.pdf](#)

Great to catch up at Starbucks. You guys rock.

Debbie Hohlt
Ex. 6 (direct)
debbie@indianagr.com

Begin forwarded message:

From: "McKinney, Caroline" <CMcKinney1@gov.IN.gov>
Subject: Governor Holcomb Statement on Waters of the United States
Date: June 28, 2017 at 11:57:01 AM EDT

STATEMENT

For Immediate Release:
Wednesday, June 28, 2017

Governor Holcomb Statement on Waters of the United States

INDIANAPOLIS – In response to the U.S. Environmental Protection Agency, the Department of Army and the Army Corps of Engineers proposal to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to the 2015 defining “Waters of the United States” or WOTUS rule, Indiana Governor Eric J. Holcomb issued the following statement:

“I commend U.S. EPA Administrator Pruitt’s leadership as he seeks to roll back burdensome regulations that measurably impact Hoosier families, businesses and farms. I also thank Administrator Pruitt for actively seeking state input on the reformulation of this rule so that federal officials better understand the common sense approach needed to protect the environment and Hoosier jobs. Indiana knows best how to preserve our state’s waterways, and a one-size-fits-all approach from Washington disrupts the predictable regulatory climate we need for continued innovation and economic growth. Rescinding the 2015 WOTUS rule will allow Indiana’s environmental regulators and industry leaders, along with state and local officials, to effectively manage the quality of water we need to support public health, recreation and business for our state.”

A copy of the letter regarding the impact of the 2015 WOTUS rule sent to U.S. EPA Administrator Scott Pruitt by Indiana Department of Environmental Management Commissioner Bruno Pigott is attached.

-30-

Caroline A. McKinney

Digital Communications Director

Office of Governor Eric J. Holcomb

Office: 317-233-4721 | Cell: **Ex. 6**

Follow Governor Eric Holcomb on [Twitter](#), [Facebook](#), & [Instagram](#)

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Cory, Preston (Katherine)
Sent: Wed 6/28/2017 1:41:19 PM
Subject: FW: State of Nebraska Response on WOTUS
[Wotus Letter.pdf](#)

Electronic copy of NE comments

From: Hanson, Andrew
Sent: Tuesday, June 20, 2017 1:44 PM
To: Cory, Katherine <cory.katherine@epa.gov>
Subject: FW: State of Nebraska Response on WOTUS

Worth noting the four signatories.

From: Wolff, Cheryl [<mailto:cheryl.wolff@nebraska.gov>]
Sent: Friday, June 16, 2017 12:03 PM
To: CWAwotus <CWAwotus@epa.gov>
Cc: Hanson, Andrew <Hanson.Andrew@epa.gov>
Subject: State of Nebraska Response on WOTUS

Please note the attached letter from Governor Pete Ricketts for the State of Nebraska. This letter is sent in response to the letter dated May 8, 2017, from EPA Administrator, Scott Pruitt, and USAC Civil Works Senior Official, Douglas W. Lamont.

Thank you.

Cheryl Wolff, J.D.

Senior Policy Advisor

Governor's Policy Research Office

State of Nebraska

Phone: (402) 471-2575

Fax: (402) 471-2528

Email: Cheryl.Wolff@nebraska.gov

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Gage, Taylor
Sent: Wed 6/28/2017 1:30:06 PM
Subject: fyi - Nebraska AG WOTUS Statement

FYI

Taylor Gage

Director of Strategic Communications

Office of Governor Pete Ricketts

OFFICE 402-471-1970

CELL Personal Phone / Ex. 6

taylor.gage@nebraska.gov

governor.nebraska.gov | [Facebook](#) | [Twitter](#)

From: AGO Media [mailto:AGO-MEDIA@LISTSERV.NEBRASKA.GOV] **On Behalf Of** Gage, Suzanne

Sent: Tuesday, June 27, 2017 4:12 PM

To: AGO-MEDIA@LISTSERV.NEBRASKA.GOV

Subject: IMMEDIATE RELEASE--WOTUS



Attorney General Doug P News Release

Lincoln--Attorney General Doug Peterson welcomed the news that the Environmental Protection Agency (EPA) and Army Corps of Engineers (Corps) are proposing a rule to rescind the Clean Water Rule and restore the regulatory text that existed prior to 2015 when "waters of the U.S." (or WOTUS) were redefined.

"Today's action by the EPA provides for farmers, ranchers, and landowners in Nebraska who will be able to operate with greater understanding, unburdened by unnecessary regulation and obstacles," said General Peterson.

The 2015 rule attempted to greatly expand and bring numerous isolated bodies of water under the jurisdiction of the EPA and Corps resulting in landowners needing to secure additional federal permits or face substantial fines and federal criminal enforcement actions.

In June 2015, General Peterson joined with Attorneys General from twelve other states in filing a lawsuit against the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers when the new rule was released.

"It is the individual State's primary responsibility to regulate land and water resources and Nebraska has a history of environmentally protecting its lands," added General Peterson, "Today's action pushes back on federal authority over private lands."

###

Suzanne Gage

Director of Communications

Nebraska Attorney General

Office: 402-471-2656

Mobile: Personal Phone / Ex. 6

Suzanne.gage@nebraska.gov



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[&*TICKET_URL\(AGO-MEDIA,SIGNOFF\);](#)

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Shimmin, Kaitlyn
Sent: Wed 6/28/2017 1:06:57 PM
Subject: RE: July and August Travel
DRAFT Clean Travel Plan 6.22.17.docx

This is the most updated one that I have. Think there are a few edits from yesterday that have not been changed.

Kaitlyn Shimmin

Special Assistant Congressional and Intergovernmental Affairs

Office of the Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Ave., N.W.

Washington, D.C. 20460

O: (202) 564-4108

C: Personal Phone / Ex. 6

Shimmin.Kaitlyn@epa.gov

From: Bennett, Tate
Sent: Tuesday, June 27, 2017 9:37 PM
To: Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>
Subject: Fwd: July and August Travel

Hey! Is there an updated version like the one used today?

Begin forwarded message:

From: "Hupp, Millan" <hupp.millan@epa.gov>
Date: June 26, 2017 at 7:13:19 AM EDT
To: "Perrotta, Pasquale" <Perrotta.Pasquale@epa.gov>
Cc: "Caldwell, James" <Caldwell.James@epa.gov>, "Davis, Gail" <Davis.Gail@epa.gov>, "McMurray, Forrest" <mcmurray.forrest@epa.gov>, "Chmielewski, Kevin" <chmielewski.kevin@epa.gov>, "Morris, Madeline" <morris.madeline@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: Re: July and August Travel

We will have travel finalized for July 5 - 7 this morning. More updates to come regarding August as well.

Sent from my iPhone

On Jun 25, 2017, at 3:33 PM, Perrotta, Pasquale <Perrotta.Pasquale@epa.gov> wrote:

Jim

Let's plan this tomorrow ok?

V/r,

Nino Perrotta | Acting Special Agent in Charge

U.S. Environmental Protection Agency |

Protective Service Detail |

Perrotta.Pasquale@epa.gov | www.epa.gov

C: Personal Phone / Ex. 6



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On Jun 21, 2017, at 5:02 PM, Hupp, Millan <hupp.millan@epa.gov> wrote:

Please note that two travel dates were added below – August 8th and August 12 – 21.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Hupp, Millan

Sent: Monday, June 19, 2017 2:30 PM

To: Caldwell, James <Caldwell.James@epa.gov>; Davis, Gail
<Davis.Gail@epa.gov>

Cc: Perrotta, Pasquale <Perrotta.Pasquale@epa.gov>; McMurray, Forrest
<mcmurray.forrest@epa.gov>; Chmielewski, Kevin

<chmielewski.kevin@epa.gov>; Hupp, Sydney <hupp.sydney@epa.gov>; Morris,
Madeline <morris.madeline@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject: July and August Travel

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Millan Hupp

Office of the Administrator – Advance

Cell: Personal Phone / Ex. 6 Email: hupp.millan@epa.gov

To: Konkus, John[konkus.john@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; Graham, Amy[graham.amy@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Palich, Christian[palich.christian@epa.gov]
From: Bowman, Liz
Sent: Tue 6/27/2017 10:47:03 PM
Subject: RE: Statements thru 6:30pm

Awesome, John!! Thank you and Amy Dewey!

From: Konkus, John
Sent: Tuesday, June 27, 2017 6:29 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Palich, Christian <palich.christian@epa.gov>
Subject: Statements thru 6:30pm

Additions noted with an asterisk*. If I missed any, let me know and I'll add them in tomorrow.

***Governor Kim Reynolds (IA):** "Waters of the United States was a significant and severe case of government overreach by the Obama administration. I want to thank Secretary Pruitt for recognizing that WOTUS forced onerous and unnecessary burdens on Iowa's farmers and businesses. I also want to express my appreciation to the Trump administration for its continuing commitment to work with states, not against them."

***Governor Sam Brownback (KS):** "The Clean Water Rule was another example of bureaucrats in Washington, D.C. trying to run Kansas farms and ranches. Our state is a leader in water innovation, and Kansans have come together through community-led water preservation efforts spurred by our 50-year Water Vision. Our farmers and ranchers know best how to steward their water. We appreciate that President Trump and the EPA will now let our farmers farm and ranchers ranch."

***Governor Eric Greitens (MO):** "When we took office, we asked our farmers and ranchers what we could do to fight for them. One of the things we heard is that they needed our help to push back against Obama's Waters of the US regulations. Well, we took that message to Washington D.C. and the good news is they've heard us. They've heard that Obama's Waters of the US regulations are hurting family farmers."

Governor Pete Ricketts (NE): "Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back this job-killing regulation. This policy returns federal oversight of intra-state waterways to pre-2015 standards, respects the rights of private land owners and states, and provides for ample protection of clean water. Removing this threat to our state's top industries gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing."

Steve Nelson, Common Sense Nebraska: "Today, countless farmers, ranchers, homebuilders, manufacturers, county governments, golf courses, and small businesses are loudly celebrating the demise of EPA's proposed WOTUS rule. For over two years, our coalition which represents the very industries who would have had to bear the brunt of this federal land grab, have worked tirelessly to stop this breathtaking assumption of authority by the federal government that flies in the face of Congressional intent, legal precedents, and even science. We want to thank the Trump Administration and EPA Administrator Pruitt specifically for now going back to the drawing board to write a new rule that actually protects water without trampling the rights of businesses and state regulatory agencies."

Greg Ibach, Director of the Nebraska Department of Agriculture: "I applaud the Trump Administration and Secretary Pruitt's announcement to walk away from the previous administration's WOTUS rule and begin the process to develop a new rule. The expansive reach and inability to determine what water or land may fall under jurisdiction under the existing regulation puts Nebraska's agriculture industry in jeopardy. Our farmers and ranchers have proven to be thoughtful stewards of our land and resources, and jurisdiction of those resources should be the responsibility of the states. I look forward to the development of a new rule, founded in common sense, that will support Nebraska's ability to protect our water and land resources."

***Arkansas Attorney General Leslie Rutledge:** "The full rescindment of this unlawful rule is a big win for Arkansas landowners. WOTUS has been enjoined because of the work of attorneys general, and today's action shows a clear signal that the EPA is returning to its core mission. I look forward to working with the agency as it works to draft a new, lawful rule that protects our waters and does not harm our farmers and ranchers, who continue to be the first conservationists."

***Wisconsin Attorney General Brad Schimel:** "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS rule. The WOTUS rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The rule also asserts federal authority over land covered by water only once every one hundred years. We look forward to EPA's final action withdrawing

the WOTUS rule and providing relief for our states and their citizens.”

***Ryan Quarles, Kentucky Agriculture Commissioner:** “I applaud EPA Administrator Scott Pruitt’s decision to propose a repeal of the destructive Obama-era ‘Waters of the United States’ rule. By requiring every puddle and pond to be subject to federal regulation, WOTUS represents exactly how executive overreach from Washington can harm Kentucky farmers and all of rural America. Earlier this year, I met with Administrator Pruitt to ask him to repeal this rule, and to uphold the law in the spirit of cooperative federalism between the national and state governments. I am proud to stand with President Trump and Administrator Pruitt as they work to undo the harmful rules and regulations enacted by the previous administration.”

Chairman of the Senate Environment and Public Works Committee, Senator John Barrasso (WY): “The WOTUS rule would have put backyard ponds, puddles, and prairie pot holes under Washington’s control. I applaud the Trump administration for working to remove this indefensible regulation. I will continue to work closely with the administration as it seeks commonsense ways to keep America’s water clean and safe.”

Senator Deb Fischer (NE): “Today’s announcement from the administration signals another important step toward full removal of the harmful WOTUS rule. All Nebraskans would have been affected by the far-reaching consequences of this misguided policy. I will continue to monitor the WOTUS withdrawal process to help ensure we see common-sense rulemaking that puts Nebraskans in charge of the decisions involving our state’s water resources.”

Senator Steve Daines (MT): “Today marks the beginning of restoring private property rights while protecting our environment. Out of state D.C. bureaucrats shouldn’t impose regulations that hurt Montana farmers, ranchers and landowners.”

***Senator Chuck Grassley (IA):** “This is great news for accountability in government. This was a bad regulation drafted under a bad process. The EPA over-reached its authority and ignored and manipulated legitimate concerns raised by the public. Farmers, land owners and builders in Iowa struggled to make sense of the regulation. Having the federal EPA and the Corps of Engineers require permits for routine land use decisions is a waste of resources that are better used enforcing existing regulations against discharging pollutants into the nation’s waterways. Agencies ought to enforce the laws as Congress intended, not stretch beyond their authority to inflict unnecessary expense and red tape on law-abiding farmers and employers.”

Senator Joni Ernst (IA): “I am pleased that the Trump administration is taking another important step toward eliminating this burdensome WOTUS rule. In Iowa, 97 percent of the land

is subject to extensive overregulation by the EPA and unnecessarily hampers our farmers, businesses and manufacturers. All across Iowa, folks are calling for this rule to be scrapped, which is why I have led efforts in the Senate to do just that. This is good news for Iowa and rural communities across the country as we move closer to finally eliminating this overreaching rule.”

Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry, Senator Pat Roberts (KS): “I’m pleased Administrator Pruitt and the EPA has listened to our concerns and has taken an important first step to rescind the infamous WOTUS rule. For too long, this rule has burdened not only farmers and ranchers, but landowners of all sizes, across the country. With a rewrite of the WOTUS rule, I look forward to seeing a rule that recognizes and respects the environmental strides taken by the American farmer and rancher. I’m grateful to have an EPA that listens to and addresses the concerns of rural America, a vital segment of our economy and true stewards of our natural resources.”

Speaker of the U.S. House, Paul Ryan: “The West has finally won in the battle over the Obama administration’s WOTUS rule. This regulation would have been a disaster for the West and rural communities across the country, giving Washington near-total control over water resources. The livelihoods of American farmers, ranchers, and entrepreneurs were at stake. I applaud the Trump administration for siding with American jobs and rescinding this harmful rule.

***Chairman of the House Science Committee, Rep. Lamar Smith (TX):** “Clean water is a necessity for all Americans. Today’s decision by EPA and the Army Corps of Engineers to go back to the basics and build a better policy with input from local stakeholders puts the power back in the hands of the people. The Obama administration imposed heavy-handed federal regulations on virtually every private and public lake, pond and stream across the country. A full repeal of this rule will further protect private landowners and farmers from federal regulatory overreach. I look forward to a policy that actually helps protect clean water without unnecessary regulation.”

***Chairman of the House Natural Resources Committee Rob Bishop (UT):** “This rule aggrandized federal bureaucrats at the expense of farmers’ water and private property rights. EPA’s decision to stay and now rescind WOTUS is another welcome act from the Trump Administration to return power back to the states and untangle harmful Washington excesses.”

***U.S. Rep. Mike Bost (IL):** “Turning back WOTUS is a clear win for Southern Illinois’ hardworking farmers, ranchers, construction workers, and manufacturers. The Obama Administration’s WOTUS rule was a federal power grab of epic proportions, expanding EPA control to puddles, ditches and farmland ponds across America. That’s why I have fought so hard to eliminate this misguided rule. We must be good stewards of the environment, but we can do so without imposing crushing D.C. regulations that will put Southern Illinois’ economy at

risk and impact millions of rural Americans.”

U.S. Rep. Paul Gosar (AZ): “Today’s announcement is excellent news for communities throughout the country. The Obama Administration threatened the very livelihoods of farmers, ranchers, small businesses and water users when unilaterally enacting the job-killing WOTUS Rule by executive fiat. The Trump Administration has already made great strides in rolling back this unconstitutional mandate and I am thrilled to see EPA Administrator Pruitt continue that good work with today’s proposed rule. Western Caucus members look forward to working closely with the administration to put a nail in the coffin of Gina McCarthy’s water grab.”

U.S. Rep. Scott Tipton (CO): “This announcement from Administrator Pruitt is welcome news. State law and priority-based systems have ensured clean, safe, and reliable water supplies for over a century in Colorado and the West. The WOTUS rule would have usurped long-held state water law and threatened access to private water rights. Western water users will now have much needed certainty while the EPA re-writes the definition of ‘Waters of the United States.’”

U.S. Rep. Dan Newhouse (WA): “I applaud the action taken by the EPA and U.S. Army Corps of Engineers to follow up on President Trump’s order to review the intrusive and overreaching Waters of the United States rule. I look forward to working with my colleagues and EPA Administrator Pruitt to replace the ill-conceived WOTUS rule with a commonsense proposal that protects clean water, as well as the water and property rights of farmers, ranchers, small businesses, and water users across the country.”

U.S. Rep. Steve Pearce (NM): “This is great news for stronger job growth throughout New Mexico. Under the WOTUS Rule, Washington bureaucrats were given complete authority to regulate small streams along with natural and manmade ditches on lands owned by farmers, ranchers, and small businesses. This unlawful expansion of power proposed by the Obama Administration would drive up costs for landowners and cost thousands of jobs. I’m pleased to see the EPA and the Army Corps of Engineers recommit to strengthening rural economies.”

U.S. Rep. Bruce Westerman (AR): “I am happy that the administration has listened to the concerns of those most impacted by this egregious, unconstitutional overreach by the Environmental Protection Agency. The decision to withdraw the previous administration’s WOTUS rule is a win for private property rights and will have a positive impact on farmers, ranchers, and other job creators.”

U.S. Rep. Cathy McMorris Rodgers (WA): “WOTUS is one of the most burdensome EPA rules of the Obama Administration. You think about the impact it’s had on rural communities, on

our cattlemen and farmers—it's making it more and more difficult for hardworking Americans to be successful. It's something I've heard about frequently in Eastern Washington. Thank you to President Trump and his administration for taking action to ensure this rule no longer targets our rural communities.”

U.S. Rep. Tom Emmer (MN): “I am pleased with today’s actions by the Trump Administration to repeal the harmful and overly burdensome WOTUS rule. While there is still work to be done to redefine WOTUS, this step gives our nation’s farmers, manufacturers and home builders greater certainty and gets the federal government out of their way. This is a welcome move that will benefit our economy today and for years to come.”

U.S. Rep. Doug Lamborn (CO): “The previous administration used the vague language in the WOTUS Rule to harm local communities—including ranchers, farmers, small business owners. I am grateful that this new ruling will establish regulatory certainty and restore order to state and tribal water laws that should have jurisdiction over these bodies of water. I look forward to a revision of this rule that will empower local landowners instead of giving power solely to the federal government.”

U.S. Rep. Mike Johnson (LA): “The so called ‘WOTUS Rule’ was a gross overreach by the Obama Administration and put mud puddles and backyard ditches under government control. Farmers and every day Americans all across the country have been subjected to new, burdensome regulations that kill jobs and further hinder the economy. Removing this rule will restore common sense to water regulation and return power back to the states and to the people.”

***U.S. Rep. Rick Allen (GA):** “The WOTUS rule was flawed from the beginning, and I applaud EPA Administrator Scott Pruitt’s action to rescind this regulation. WOTUS was yet another attempt by the previous administration to undermine the rights of states, local governments and landowners by allowing the federal government to regulate backyard streams and puddles. Our farmers work each and every day to care for our land and preserve it for generations to come. I am happy to see the Trump Administration empowering America’s farmers and taking another step towards removing the overreaching hand of government from their everyday lives. In February, I introduced H.R. 1105, legislation to repeal the WOTUS rule and now that the EPA has rescinded the rule, Congress must codify this language to ensure WOTUS can never become a reality under any future administrations.”

***U.S. Rep. Doug LaMalfa (CA):** “The job-killing WOTUS Rule was one of the most egregious regulations implemented by the Obama Administration and former EPA Administrator Gina McCarthy. The repeal of this mandate is nothing short of a victory for private property rights across the country. Many in California’s first district have expressed their frustrations with this

rule, such as California farmer John Duarte, who faces millions of dollars in fines under this rule – simply for plowing his fields. We have more work to be done, but I am thankful President Trump and EPA Administrator Scott Pruitt have shown a commitment to fighting this type of over-burdensome regulation that was indicative of the previous administration’s power grabs.”

U.S. Rep. Raul Labrador (ID): I applaud the Trump administration for continuing to roll back excessive regulations that are harming Idaho’s businesses and communities. I strongly opposed the previous administration’s ‘WOTUS’ rule and I worked with my colleagues on a legislative fix. Regulatory reform is critical to Idaho’s economy, and I appreciate the administration for continuing to show leadership on these types of issues.”

U.S. Rep. Martha McSally (AZ): “WOTUS is a sweeping regulation written by unelected bureaucrats that would give the EPA jurisdiction over any type of body of water on private land—lakes, ponds, creeks, and even desert washes. I have heard from countless small businesses, farmers, and ranchers that this rule prevents them from doing their job, which is why I led dozens of my colleagues in Congress in writing to the Administration in February urging the President to reverse this rule for the sake of Southern Arizona and communities throughout the United States. I am pleased with the EPA’s decision to repeal the harmful WOTUS rule—and I know that Americans across the country are relieved by this news.”

U.S. Rep. Lee Abraham (LA): “I represent one of the largest row crop districts in the nation, and nearly every farmer I talk to wants this rule repealed. As an active farmer myself, I understand and share their frustrations with WOTUS. Today’s news is a welcomed relief for farmers around this country, and I thank President Trump and Administrator Pruitt for the actions they’ve taken so far to repeal this terrible rule.”

U.S. Rep. Roger Marshall (KS): “I commend and thank the Trump Administration for their decisive and effective actions to repeal the misguided Waters of the United States rule. Kansas farmers, ranchers, businesses and even municipalities know all too well, WOTUS dramatically expanded the reach of the federal government with minimal improvements in water quality. Today’s announcement serves as a tremendous relief to Kansans and provides the regulatory certainty we need to grow. This is yet another exciting step in fulfilling this Administration and Congress’ promise to return government to its proper role.”

U.S Rep. Louie Gohmert (TX): Washington bureaucrats in cubicles should not be deciding the fate of our waterways, nor should they be allowed to completely and arbitrarily control the economic fate of landowners even to the point of ending their ability to make a living. Unelected bureaucrats have, for years, been enviously dreaming of the day they could control American landowners’ property by the backdoor methods of completely controlling everything involving water on or near the land. Repealing the Obama Administration’s WOTUS Rule is essential in

getting the federal government out of everyday farming operations. It is neither right nor fair to subject producers and landowners to jurisdictional protocols and extraordinary levels of compliance charges. Today the EPA took a giant step forward in safeguarding the water rights of hard-working Americans and ending the federal power grab the Obama Administration engineered. It is a victory for those who love liberty and something called private property.”

U.S. Rep. Andy Biggs (AZ): I applaud Administrator Pruitt for his proposal to repeal the Waters of the United States (WOTUS) Rule, which was one of the most onerous rules from the Obama administration. WOTUS was opposed by over 200 organizations and local communities and would have had devastating effects on western states, including Arizona. This action provides another example that the Trump administration favors freedom and prosperity for our economy over regulatory outreach, and we join the administration in their efforts.”

U.S. Rep. Doug Collins (GA): “Northeast Georgia farmers, ranchers, and small businesses are natural conservationists who have been overburdened by the illogical Waters of the United States regulation. I applaud the Army Corps of Engineers and Environmental Protection Agency for their move to repeal the WOTUS rule in favor of statutes that actually serve our communities and steward their natural resources wisely.”

U.S. Rep. Markwayne Mullin (OK): “Since the previous administration put the WOTUS Rule in place, I have been fighting tooth and nail to overturn it. The harmful effects it has on our farmers, ranchers, and small businesses are felt nationwide. Moreover, the WOTUS Rule allowed Washington bureaucrats to regulate the streams and creeks in the backyards of Oklahomans, when in reality these bureaucrats don’t know the first thing about a backyard like mine.” “The rule proposed today by the EPA and Army Corps of Engineers delivers the long overdue relief from this unlawful water grab that our farmers and ranchers desperately need. I’m grateful to EPA Administrator Scott Pruitt for acting swiftly to repeal this misguided rule.”

U.S Rep. Kristi Noem (SD): “Under the Obama-era WOTUS rule, treating your lawn for mosquitos, putting up a fence in your backyard or spraying your crops could become federally regulated activities that carry substantial fines if violations occur – knowingly or unknowingly. The Trump administration is right to propose a repeal.”

U.S Rep. Liz Cheney (WY): “The Clean Water Rule was a power grab by the Obama Administration that attempted to expand federal control and regulations well beyond the initial scope of Waters of the U.S. The rule threatened the loss of precious resources for hardworking ranchers and farmers in Wyoming, and if left unchecked, would have devastated our rural economy. I am pleased to see EPA Administrator Pruitt and the Army Corps of Engineers taking these steps to return power to the states and provide them with regulatory certainty. I also remain committed to working in Congress towards a full repeal of burdensome regulations

imposed by the previous administration.”

House Agriculture Committee Chairman K. Michael Conaway (TX-11): “WOTUS has never been about clean water, it was about feeding the Obama EPA’s insatiable appetite for power. Well that ends now. Today’s EPA announcement is an important first step to getting the federal government out of America’s backyards, fields and ditches and restoring certainty and integrity to our regulatory process. But our work isn’t done. As the case of California farmer John Duarte clearly highlights, the Corps and DOJ also need to re-evaluate and revise their enforcement of the Clean Water Act and WOTUS to ensure we protect our farmers and ranchers from onerous fines and penalties that threaten their way of life. I have confidence this administration will get the policy right and allow farmers and ranchers to be the capable stewards of the land they’ve always been.”

U.S. Rep. Bob Gibbs (OH): “I applaud Administrator Pruitt’s announcement to withdraw the Obama-era Waters of the United States rule, which expanded federal authority at the expense of the states and eroded private property rights. The EPA should not treat farmers, ranchers, homebuilders, local governments, or state environmental agencies as adversaries but rather collaborators in drafting a new WOTUS rule. American farmers who feed the world are among those most concerned with protecting our environment. The next WOTUS rule should take their opinions and concerns into account and I look forward to working with Administrator Pruitt to craft a reasonable rule that protects the environment and private property rights at the same time.”

U.S. Chamber of Commerce Senior Vice President for Environment, Technology, and Regulatory Affairs Bill Kovacs: “We commend EPA for taking an analytical approach to repealing and fixing the misguided WOTUS rule. Now, all stakeholders will have an opportunity to provide public comment, and the agency will have the proper time to analyze the input and unwind a confusing rule that impacted America’s businesses, farmers, and land owners. The final WOTUS rule issued by the last administration was unworkable, a fact acknowledged by courts around the country, and amounted to a massive grab of regulatory authority by an EPA that was overreaching. We look forward to working with Administrator Pruitt and his team to craft a rule that protects public health and the environment, while giving clarity and certainty to our nation’s farmers and job creators.”

National Farmers Union (NFU) President Roger Johnson: “Family farmers and ranchers are the stewards of our land, and they understand the importance of clean water today and for future generations. Farmers also need regulatory certainty. NFU was engaged in the WOTUS rulemaking process to ensure family farmers ended up with an appropriate and definitive final rule, yet opposed the final WOTUS rule because it was ultimately an expansion of the Clean Water Act’s jurisdiction. Any new rule should ensure the agriculture community can conduct its business free from fear of undue regulatory interference and without sacrificing the agencies’ ability to protect the United States’ water resources.”

Texas farmer Wesley Spurlock, president of the National Corn Growers Association: “The goal of the Clean Water Act is to restore and maintain the integrity of the nation’s waters. The 2015 rule moved us further away from that goal. Repealing it is an important first step toward providing farmers the certainty and clarity we have long desired. We are thankful this Administration is working to draw clear lines in terms of what is and what is not jurisdictional under the Clean Water Act. In doing so, they will enable farmers to implement best management practices such as grass waterways and buffer strips without the burden of bureaucratic red tape or fear of legal action. These types of land improvements have enormous water quality benefits, such as reducing sediment and nutrient runoff—a win for farmers and the environment. Government should be making these actions easier, not more difficult. We salute the EPA and Army Corps of Engineers for their efforts. We stand committed to working with these agencies as they develop a new rule that defines jurisdictional boundaries in clear terms that are inclusive of the realities of farming.”

National Rural Electric Cooperative Association (NRECA) CEO Jim Matheson: “We appreciate EPA Administrator Pruitt recognizing the need to revisit this overbearing regulation and avoid needless increased costs for millions of electric co-op consumers. As written, the rule would dramatically expand federal oversight of features that only hold water after a rain. This would have increased costs and impaired the ability of co-ops to build and maintain power lines. We encourage EPA and the Army Corps of Engineers to propose a new common-sense rule that recognizes the role of the states, protects the environment, and allows co-ops to continue providing affordable and reliable power.”

Zippy Duvall, president, American Farm Bureau Federation: “Farmers and ranchers across this country are cheering EPA’s proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day. But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That’s why our federal courts blocked it from going into effect for the past two years. Today’s announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected. Farm Bureau looks forward to supporting Administrator Pruitt’s proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states.”

National Mining Association (NMA) President and CEO Hal Quinn: “This sets in motion a welcome correction to a deeply problematic regulation that ignored the careful balance that Congress struck between federal and state water regulation and Constitutional limits on federal authority. Under the guise of clarifying federal Clean Water Act jurisdiction, the WOTUS rule impermissibly expanded federal jurisdiction to virtually any standing body of water -- from roadside drainage ditches to local green energy projects. We look forward to working with the

administration as it replaces the WOTUS rule with environmentally responsible policies that provide regulatory clarity for businesses and proper recognition of state authority to manage water quality as Congress intended.”

Edison Electric Institute (EEI) President Tom Kuhn: “EEI’s member companies are committed to a healthy environment and to a clean and affordable energy future. By rescinding the problematic Waters of the United States (WOTUS) rule, EPA Administrator Pruitt and the Army Corps of Engineers have taken an important step to reconsider a rule that, if left unchanged, would have triggered substantial new regulatory requirements for critical electric company operations, creating substantial compliance costs. As EEI and allied stakeholders consistently have noted through comments and through our participation in litigation challenging the current WOTUS rule, our industry supports a new rulemaking that more clearly and narrowly defines which waterbodies are subject to federal jurisdiction, and enhances opportunities to streamline energy infrastructure permitting. We also thank EPA and the Army Corps of Engineers for seeking more input from the states on the rulemaking, and look forward to working with their staffs as they review and revise the regulations.”

National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain: “The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule.”

Environmental Council of the States (ECOS) President John Linc Stine, Commissioner of the Minnesota Pollution Control Agency: “Today’s proposed rule is a key step in creating an opportunity to develop a regulatory approach to defining waters of the United States in a fully collaborative fashion. We look forward to a productive, results-oriented conversation among states, EPA, the Army Corps of Engineers, and all stakeholders to provide greater regulatory certainty and clarity, and to ensure that waters are protected by an appropriate allocation of state and federal laws, regulations, programs, and resources.”

***National Stripper Well Association Chairwoman Darlene Wallace:** “Today’s actions by President Trump in repealing the deeply misguided Waters of the United States rule implemented by the last administration gives NSWA membership cause to celebrate the President keeping his promises and working to protect small businesses and oil and gas producers. The terrible impacts facing small oil and gas producers as a result of the over expansive and unnecessary regulation proposed by the previous administration are wiped away putting another promise kept and another sign that relief for American businesses is on the way.

NSWA also wants to thank Administrator Pruitt and all the staff at EPA for their hard work in delivering this relief for the American workers.”

***American Exploration & Mining Association Executive Director Laura Skaer:** “Our members are greatly encouraged to see the Trump administration undo this unnecessary rule and return states’ authority over water regulation and regulatory certainty that is crucial to a prosperous American mining industry. Mining is ready to get back to work and grow communities. Ending this deeply flawed rule allows us to do just that.”

***National Cattlemen’s Beef Association President Craig Uden:** "This is another great step in the right direction, and the Administration deserves a great deal of credit for injecting some much-needed common sense into our nation's environmental policies. It's important to remember, though, that this rule isn't dead yet. The rulemaking process continues, and NCBA will submit and solicit additional comments on behalf of America's cattle producers so that they finally get the sanity and clarity they need on land use policy."

***Public Lands Council President Dave Eliason:** “We applaud President Trump and Administrator Pruitt for their leadership in repealing the 2015 WOTUS rule. Ranchers in the West are already subject to an elevated level of regulatory overreach, and the WOTUS rule as written would have only made the problem worse. It is reassuring to see the steps that this administration is taking to relieve some of that regulatory burden and provide certainty for our producers.”

John Konkus

Deputy Associate Administrator

Office of Public Affairs

Environmental Protection Agency

Cell: Personal Phone / Ex. 6

To: Bennett, Tate[Bennett.Tate@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; Graham, Amy[graham.amy@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Palich, Christian[palich.christian@epa.gov]
From: Konkus, John
Sent: Tue 6/27/2017 10:29:07 PM
Subject: Statements thru 6:30pm

Additions noted with an asterisk*. If I missed any, let me know and I'll add them in tomorrow.

***Governor Kim Reynolds (IA):** "Waters of the United States was a significant and severe case of government overreach by the Obama administration. I want to thank Secretary Pruitt for recognizing that WOTUS forced onerous and unnecessary burdens on Iowa's farmers and businesses. I also want to express my appreciation to the Trump administration for its continuing commitment to work with states, not against them."

***Governor Sam Brownback (KS):** "The Clean Water Rule was another example of bureaucrats in Washington, D.C. trying to run Kansas farms and ranches. Our state is a leader in water innovation, and Kansans have come together through community-led water preservation efforts spurred by our 50-year Water Vision. Our farmers and ranchers know best how to steward their water. We appreciate that President Trump and the EPA will now let our farmers farm and ranchers ranch."

***Governor Eric Greitens (MO):** "When we took office, we asked our farmers and ranchers what we could do to fight for them. One of the things we heard is that they needed our help to push back against Obama's Waters of the US regulations. Well, we took that message to Washington D.C. and the good news is they've heard us. They've heard that Obama's Waters of the US regulations are hurting family farmers."

Governor Pete Ricketts (NE): "Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back this job-killing regulation. This policy returns federal oversight of intra-state waterways to pre-2015 standards, respects the rights of private land owners and states, and provides for ample protection of clean water. Removing this threat to our state's top industries gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing."

Steve Nelson, Common Sense Nebraska: "Today, countless farmers, ranchers, homebuilders, manufacturers, county governments, golf courses, and small businesses are loudly celebrating the demise of EPA's proposed WOTUS rule. For over two years, our coalition

which represents the very industries who would have had to bear the brunt of this federal land grab, have worked tirelessly to stop this breathtaking assumption of authority by the federal government that flies in the face of Congressional intent, legal precedents, and even science.

We want to thank the Trump Administration and EPA Administrator Pruitt specifically for now going back to the drawing board to write a new rule that actually protects water without trampling the rights of businesses and state regulatory agencies.”

Greg Ibach, Director of the Nebraska Department of Agriculture: “I applaud the Trump Administration and Secretary Pruitt’s announcement to walk away from the previous administration’s WOTUS rule and begin the process to develop a new rule. The expansive reach and inability to determine what water or land may fall under jurisdiction under the existing regulation puts Nebraska’s agriculture industry in jeopardy. Our farmers and ranchers have proven to be thoughtful stewards of our land and resources, and jurisdiction of those resources should be the responsibility of the states. I look forward to the development of a new rule, founded in common sense, that will support Nebraska’s ability to protect our water and land resources.”

***Arkansas Attorney General Leslie Rutledge:** “The full rescindment of this unlawful rule is a big win for Arkansas landowners. WOTUS has been enjoined because of the work of attorneys general, and today’s action shows a clear signal that the EPA is returning to its core mission. I look forward to working with the agency as it works to draft a new, lawful rule that protects our waters and does not harm our farmers and ranchers, who continue to be the first conservationists.”

***Wisconsin Attorney General Brad Schimel:** “We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS rule. The WOTUS rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The rule also asserts federal authority over land covered by water only once every one hundred years. We look forward to EPA’s final action withdrawing the WOTUS rule and providing relief for our states and their citizens.”

***Ryan Quarles, Kentucky Agriculture Commissioner:** “I applaud EPA Administrator Scott Pruitt’s decision to propose a repeal of the destructive Obama-era ‘Waters of the United States’ rule. By requiring every puddle and pond to be subject to federal regulation, WOTUS represents exactly how executive overreach from Washington can harm Kentucky farmers and all of rural America. Earlier this year, I met with Administrator Pruitt to ask him to repeal this rule, and to uphold the law in the spirit of cooperative federalism between the national and state governments. I am proud to stand with President Trump and Administrator Pruitt as they work to undo the harmful rules and regulations enacted by the previous administration.”

Chairman of the Senate Environment and Public Works Committee, Senator John Barrasso (WY): “The WOTUS rule would have put backyard ponds, puddles, and prairie pot holes under Washington’s control. I applaud the Trump administration for working to remove this indefensible regulation. I will continue to work closely with the administration as it seeks commonsense ways to keep America’s water clean and safe.”

Senator Deb Fischer (NE): “Today’s announcement from the administration signals another important step toward full removal of the harmful WOTUS rule. All Nebraskans would have been affected by the far-reaching consequences of this misguided policy. I will continue to monitor the WOTUS withdrawal process to help ensure we see common-sense rulemaking that puts Nebraskans in charge of the decisions involving our state’s water resources.”

Senator Steve Daines (MT): “Today marks the beginning of restoring private property rights while protecting our environment. Out of state D.C. bureaucrats shouldn’t impose regulations that hurt Montana farmers, ranchers and landowners.”

***Senator Chuck Grassley (IA):** “This is great news for accountability in government. This was a bad regulation drafted under a bad process. The EPA over-reached its authority and ignored and manipulated legitimate concerns raised by the public. Farmers, land owners and builders in Iowa struggled to make sense of the regulation. Having the federal EPA and the Corps of Engineers require permits for routine land use decisions is a waste of resources that are better used enforcing existing regulations against discharging pollutants into the nation’s waterways. Agencies ought to enforce the laws as Congress intended, not stretch beyond their authority to inflict unnecessary expense and red tape on law-abiding farmers and employers.”

Senator Joni Ernst (IA): “I am pleased that the Trump administration is taking another important step toward eliminating this burdensome WOTUS rule. In Iowa, 97 percent of the land is subject to extensive overregulation by the EPA and unnecessarily hamstringing our farmers, businesses and manufacturers. All across Iowa, folks are calling for this rule to be scrapped, which is why I have led efforts in the Senate to do just that. This is good news for Iowa and rural communities across the country as we move closer to finally eliminating this overreaching rule.”

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Speaker of the U.S. House, Paul Ryan: "The West has finally won in the battle over the Obama administration's WOTUS rule. This regulation would have been a disaster for the West and rural communities across the country, giving Washington near-total control over water resources. The livelihoods of American farmers, ranchers, and entrepreneurs were at stake. I applaud the Trump administration for siding with American jobs and rescinding this harmful rule.

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State law and priority-based systems have ensured clean, safe, and reliable water supplies for over a century in Colorado and the West. The WOTUS rule would have usurped long-held state water law and threatened access to private water rights. Western water users will now have much needed certainty while the EPA re-writes the definition of ‘Waters of the United States.’

U.S. Rep. Dan Newhouse (WA): “I applaud the action taken by the EPA and U.S. Army Corps of Engineers to follow up on President Trump’s order to review the intrusive and overreaching Waters of the United States rule. I look forward to working with my colleagues and EPA Administrator Pruitt to replace the ill-conceived WOTUS rule with a commonsense proposal that protects clean water, as well as the water and property rights of farmers, ranchers, small businesses, and water users across the country.”

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U.S. Rep. Cathy McMorris Rodgers (WA): “WOTUS is one of the most burdensome EPA rules of the Obama Administration. You think about the impact it’s had on rural communities, on our cattlemen and farmers—it’s making it more and more difficult for hardworking Americans to be successful. It’s something I’ve heard about frequently in Eastern Washington. Thank you to President Trump and his administration for taking action to ensure this rule no longer targets our rural communities.”

U.S. Rep. Tom Emmer (MN): “I am pleased with today’s actions by the Trump Administration to repeal the harmful and overly burdensome WOTUS rule. While there is still work to be done to redefine WOTUS, this step gives our nation’s farmers, manufacturers and home builders greater certainty and gets the federal government out of their way. This is a welcome move that will benefit our economy today and for years to come.”

U.S. Rep. Doug Lamborn (CO): “The previous administration used the vague language in the WOTUS Rule to harm local communities—including ranchers, farmers, small business owners. I am grateful that this new ruling will establish regulatory certainty and restore order to state and tribal water laws that should have jurisdiction over these bodies of water. I look forward to a revision of this rule that will empower local landowners instead of giving power solely to the federal government.”

U.S. Rep. Mike Johnson (LA): “The so called ‘WOTUS Rule’ was a gross overreach by the Obama Administration and put mud puddles and backyard ditches under government control. Farmers and every day Americans all across the country have been subjected to new, burdensome regulations that kill jobs and further hinder the economy. Removing this rule will restore common sense to water regulation and return power back to the states and to the people.”

***U.S. Rep. Rick Allen (GA):** “The WOTUS rule was flawed from the beginning, and I applaud EPA Administrator Scott Pruitt’s action to rescind this regulation. WOTUS was yet another attempt by the previous administration to undermine the rights of states, local governments and landowners by allowing the federal government to regulate backyard streams and puddles. Our farmers work each and every day to care for our land and preserve it for generations to come. I am happy to see the Trump Administration empowering America’s farmers and taking another step towards removing the overreaching hand of government from their everyday lives. In February, I introduced H.R. 1105, legislation to repeal the WOTUS rule and now that the EPA has rescinded the rule, Congress must codify this language to ensure WOTUS can never become a reality under any future administrations.”

***U.S. Rep. Doug LaMalfa (CA):** “The job-killing WOTUS Rule was one of the most egregious regulations implemented by the Obama Administration and former EPA Administrator Gina McCarthy. The repeal of this mandate is nothing short of a victory for private property rights across the country. Many in California’s first district have expressed their frustrations with this rule, such as California farmer John Duarte, who faces millions of dollars in fines under this rule – simply for plowing his fields. We have more work to be done, but I am thankful President Trump and EPA Administrator Scott Pruitt have shown a commitment to fighting this type of over-burdensome regulation that was indicative of the previous administration’s power grabs.”

U.S. Rep. Raul Labrador (ID): I applaud the Trump administration for continuing to roll back excessive regulations that are harming Idaho’s businesses and communities. I strongly opposed the previous administration’s ‘WOTUS’ rule and I worked with my colleagues on a legislative fix. Regulatory reform is critical to Idaho’s economy, and I appreciate the administration for continuing to show leadership on these types of issues.”

U.S. Rep. Martha McSally (AZ): “WOTUS is a sweeping regulation written by unelected bureaucrats that would give the EPA jurisdiction over any type of body of water on private land—lakes, ponds, creeks, and even desert washes. I have heard from countless small businesses, farmers, and ranchers that this rule prevents them from doing their job, which is why I led dozens of my colleagues in Congress in writing to the Administration in February urging the President to reverse this rule for the sake of Southern Arizona and communities throughout the United States. I am pleased with the EPA’s decision to repeal the harmful WOTUS rule—and I know that Americans across the country are relieved by this news.”

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U.S. Rep. Andy Biggs (AZ): I applaud Administrator Pruitt for his proposal to repeal the Waters of the United States (WOTUS) Rule, which was one of the most onerous rules from the Obama administration. WOTUS was opposed by over 200 organizations and local communities and would have had devastating effects on western states, including Arizona. This action provides another example that the Trump administration favors freedom and prosperity for our economy over regulatory outreach, and we join the administration in their efforts.”

U.S. Rep. Doug Collins (GA): “Northeast Georgia farmers, ranchers, and small businesses are natural conservationists who have been overburdened by the illogical Waters of the United States regulation. I applaud the Army Corps of Engineers and Environmental Protection Agency for their move to repeal the WOTUS rule in favor of statutes that actually serve our communities and steward their natural resources wisely.”

U.S. Rep. Markwayne Mullin (OK): “Since the previous administration put the WOTUS Rule in place, I have been fighting tooth and nail to overturn it. The harmful effects it has on our farmers, ranchers, and small businesses are felt nationwide. Moreover, the WOTUS Rule allowed Washington bureaucrats to regulate the streams and creeks in the backyards of Oklahomans, when in reality these bureaucrats don’t know the first thing about a backyard like mine.” “The rule proposed today by the EPA and Army Corps of Engineers delivers the long overdue relief from this unlawful water grab that our farmers and ranchers desperately need. I’m grateful to EPA Administrator Scott Pruitt for acting swiftly to repeal this misguided rule.”

U.S Rep. Kristi Noem (SD): “Under the Obama-era WOTUS rule, treating your lawn for mosquitos, putting up a fence in your backyard or spraying your crops could become federally regulated activities that carry substantial fines if violations occur – knowingly or unknowingly. The Trump administration is right to propose a repeal.”

U.S Rep. Liz Cheney (WY): “The Clean Water Rule was a power grab by the Obama Administration that attempted to expand federal control and regulations well beyond the initial scope of Waters of the U.S. The rule threatened the loss of precious resources for hardworking ranchers and farmers in Wyoming, and if left unchecked, would have devastated our rural economy. I am pleased to see EPA Administrator Pruitt and the Army Corps of Engineers taking these steps to return power to the states and provide them with regulatory certainty. I also remain committed to working in Congress towards a full repeal of burdensome regulations imposed by the previous administration.”

House Agriculture Committee Chairman K. Michael Conaway (TX-11): “WOTUS has never been about clean water, it was about feeding the Obama EPA’s insatiable appetite for power. Well that ends now. Today’s EPA announcement is an important first step to getting the federal government out of America’s backyards, fields and ditches and restoring certainty and integrity to our regulatory process. But our work isn’t done. As the case of California farmer John Duarte clearly highlights, the Corps and DOJ also need to re-evaluate and revise their enforcement of the Clean Water Act and WOTUS to ensure we protect our farmers and ranchers from onerous fines and penalties that threaten their way of life. I have confidence this administration will get the policy right and allow farmers and ranchers to be the capable stewards of the land they’ve always been.”

U.S. Rep. Bob Gibbs (OH): “I applaud Administrator Pruitt’s announcement to withdraw the Obama-era Waters of the United States rule, which expanded federal authority at the expense of the states and eroded private property rights. The EPA should not treat farmers, ranchers, homebuilders, local governments, or state environmental agencies as adversaries but rather collaborators in drafting a new WOTUS rule. American farmers who feed the world are among those most concerned with protecting our environment. The next WOTUS rule should take their opinions and concerns into account and I look forward to working with Administrator Pruitt to craft a reasonable rule that protects the environment and private property rights at the same time.”

U.S. Chamber of Commerce Senior Vice President for Environment, Technology, and Regulatory Affairs Bill Kovacs: “We commend EPA for taking an analytical approach to repealing and fixing the misguided WOTUS rule. Now, all stakeholders will have an opportunity to provide public comment, and the agency will have the proper time to analyze the input and unwind a confusing rule that impacted America’s businesses, farmers, and land owners. The final WOTUS rule issued by the last administration was unworkable, a fact acknowledged by courts around the country, and amounted to a massive grab of regulatory authority by an EPA that was overreaching. We look forward to working with Administrator Pruitt and his team to craft a rule that protects public health and the environment, while giving clarity and certainty to our nation’s farmers and job creators.”

National Farmers Union (NFU) President Roger Johnson: “Family farmers and ranchers are the stewards of our land, and they understand the importance of clean water today and for future generations. Farmers also need regulatory certainty. NFU was engaged in the WOTUS rulemaking process to ensure family farmers ended up with an appropriate and definitive final rule, yet opposed the final WOTUS rule because it was ultimately an expansion of the Clean Water Act’s jurisdiction. Any new rule should ensure the agriculture community can conduct its business free from fear of undue regulatory interference and without sacrificing the agencies’ ability to protect the United States’ water resources.”

Texas farmer Wesley Spurlock, president of the National Corn Growers Association: “The goal of the Clean Water Act is to restore and maintain the integrity of the nation’s waters. The 2015 rule moved us further away from that goal. Repealing it is an important first step toward providing farmers the certainty and clarity we have long desired. We are thankful this Administration is working to draw clear lines in terms of what is and what is not jurisdictional under the Clean Water Act. In doing so, they will enable farmers to implement best management practices such as grass waterways and buffer strips without the burden of bureaucratic red tape or fear of legal action. These types of land improvements have enormous water quality benefits, such as reducing sediment and nutrient runoff—a win for farmers and the environment. Government should be making these actions easier, not more difficult. We salute the EPA and Army Corps of Engineers for their efforts. We stand committed to working with these agencies as they develop a new rule that defines jurisdictional boundaries in clear terms that are inclusive

of the realities of farming.”

National Rural Electric Cooperative Association (NRECA) CEO Jim Matheson: “We appreciate EPA Administrator Pruitt recognizing the need to revisit this overbearing regulation and avoid needless increased costs for millions of electric co-op consumers. As written, the rule would dramatically expand federal oversight of features that only hold water after a rain. This would have increased costs and impaired the ability of co-ops to build and maintain power lines. We encourage EPA and the Army Corps of Engineers to propose a new common-sense rule that recognizes the role of the states, protects the environment, and allows co-ops to continue providing affordable and reliable power.”

Zippy Duvall, president, American Farm Bureau Federation: “Farmers and ranchers across this country are cheering EPA’s proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day. But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That’s why our federal courts blocked it from going into effect for the past two years. Today’s announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected. Farm Bureau looks forward to supporting Administrator Pruitt’s proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states.”

National Mining Association (NMA) President and CEO Hal Quinn: “This sets in motion a welcome correction to a deeply problematic regulation that ignored the careful balance that Congress struck between federal and state water regulation and Constitutional limits on federal authority. Under the guise of clarifying federal Clean Water Act jurisdiction, the WOTUS rule impermissibly expanded federal jurisdiction to virtually any standing body of water -- from roadside drainage ditches to local green energy projects. We look forward to working with the administration as it replaces the WOTUS rule with environmentally responsible policies that provide regulatory clarity for businesses and proper recognition of state authority to manage water quality as Congress intended.”

Edison Electric Institute (EEI) President Tom Kuhn: “EEI’s member companies are committed to a healthy environment and to a clean and affordable energy future. By rescinding the problematic Waters of the United States (WOTUS) rule, EPA Administrator Pruitt and the Army Corps of Engineers have taken an important step to reconsider a rule that, if left unchanged, would have triggered substantial new regulatory requirements for critical electric company operations, creating substantial compliance costs. As EEI and allied stakeholders consistently have noted through comments and through our participation in litigation challenging the current WOTUS rule, our industry supports a new rulemaking that more clearly and narrowly defines which waterbodies are subject to federal jurisdiction, and enhances opportunities to

streamline energy infrastructure permitting. We also thank EPA and the Army Corps of Engineers for seeking more input from the states on the rulemaking, and look forward to working with their staffs as they review and revise the regulations.”

National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain: “The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule.”

Environmental Council of the States (ECOS) President John Linc Stine, Commissioner of the Minnesota Pollution Control Agency: “Today’s proposed rule is a key step in creating an opportunity to develop a regulatory approach to defining waters of the United States in a fully collaborative fashion. We look forward to a productive, results-oriented conversation among states, EPA, the Army Corps of Engineers, and all stakeholders to provide greater regulatory certainty and clarity, and to ensure that waters are protected by an appropriate allocation of state and federal laws, regulations, programs, and resources.”

***National Stripper Well Association Chairwoman Darlene Wallace:** “Today’s actions by President Trump in repealing the deeply misguided Waters of the United States rule implemented by the last administration gives NSWA membership cause to celebrate the President keeping his promises and working to protect small businesses and oil and gas producers. The terrible impacts facing small oil and gas producers as a result of the over expansive and unnecessary regulation proposed by the previous administration are wiped away putting another promise kept and another sign that relief for American businesses is on the way. NSWA also wants to thank Administrator Pruitt and all the staff at EPA for their hard work in delivering this relief for the American workers.”

***American Exploration & Mining Association Executive Director Laura Skaer:** “Our members are greatly encouraged to see the Trump administration undo this unnecessary rule and return states’ authority over water regulation and regulatory certainty that is crucial to a prosperous American mining industry. Mining is ready to get back to work and grow communities. Ending this deeply flawed rule allows us to do just that.”

***National Cattlemen’s Beef Association President Craig Uden:** “This is another great step in the right direction, and the Administration deserves a great deal of credit for injecting some

much-needed common sense into our nation's environmental policies. It's important to remember, though, that this rule isn't dead yet. The rulemaking process continues, and NCBA will submit and solicit additional comments on behalf of America's cattle producers so that they finally get the sanity and clarity they need on land use policy."

***Public Lands Council President Dave Eliason:** "We applaud President Trump and Administrator Pruitt for their leadership in repealing the 2015 WOTUS rule. Ranchers in the West are already subject to an elevated level of regulatory overreach, and the WOTUS rule as written would have only made the problem worse. It is reassuring to see the steps that this administration is taking to relieve some of that regulatory burden and provide certainty for our producers."

John Konkus

Deputy Associate Administrator

Office of Public Affairs

Environmental Protection Agency

Cell: Personal Phone / Ex. 6

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Palich, Christian
Sent: Tue 6/27/2017 9:53:58 PM
Subject: FW: WOTUS proposed rule
Defense of Environment MCC17002.pdf

Already had sent it to Sarah and Alex.

Christian R. Palich

Deputy Associate Administrator

Office of Congressional & Intergovernmental Affairs

U.S Environmental Protection Agency

O: 202.564.4944

C: Personal Phone / Ex. 6

E: Palich.Christian@epa.gov

From: Palich, Christian
Sent: Tuesday, June 27, 2017 5:31 PM
To: Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Cc: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: FW: WOTUS proposed rule

Hi Sarah,

Senator Paul's office wanted our insight on attached bill (see email below.) Since you handle water issues I thought I would send over your way.

Thanks and have a great evening,

Christian R. Palich

Deputy Associate Administrator

Office of Congressional & Intergovernmental Affairs

U.S Environmental Protection Agency

O: 202.564.4944

C: Personal Phone / Ex. 6

E: Palich.Christian@epa.gov

From: Bennett, Tate
Sent: Tuesday, June 27, 2017 4:44 PM
To: Palich, Christian <palich.christian@epa.gov>
Subject: FW: WOTUS proposed rule

From: Vaughan, Aubrey (Paul) [mailto:Aubrey_Vaughan@paul.senate.gov]
Sent: Tuesday, June 27, 2017 4:19 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: WOTUS proposed rule

Hey Tate,

Hope you're doing well! I was excited to see the WOTUS proposed rule today. I haven't finished reading through yet, but I think this would be a good time for us to reintroduce our bill on navigable waters to reinforce Congressional support for EPA's work on this. Is there a good contact I could send our bill language to? I have a question on the impact of a certain section we currently have in the text –

SEC. 3. APPLICABILITY OF AGENCY REGULATIONS AND GUIDANCE.

(a) IN GENERAL.—The following regulations and guidance shall have no force or effect:

[...]

(4) Any subsequent regulation of or guidance issued by any Federal agency that defines or interprets the term “navigable waters” or “waters of the United States”.

(b) PROHIBITION.—The Secretary of the Army, acting through the Chief of Engineers, and the Administrator of the Environmental Protection Agency shall not promulgate any rules or issue any guidance that expands or interprets the definition of navigable waters unless expressly authorized by Congress.

Thanks so much,

--

Aubrey Vaughan

General Counsel

Office of Senator Rand Paul

167 Russell Senate Office Building

(202) 224-6515

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: David Ross
Sent: Tue 6/27/2017 9:14:27 PM
Subject: Re: WOTUS Statements thru 4pm
[6.27.17 WOTUS.pdf](#)

Here's another one.

On Tue, Jun 27, 2017 at 4:04 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

This is just some of them.

Governor Pete Ricketts (NE): “Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back this job-killing regulation. This policy returns federal oversight of intra-state waterways to pre-2015 standards, respects the rights of private land owners and states, and provides for ample protection of clean water. Removing this threat to our state’s top industries gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing.”

Steve Nelson, Common Sense Nebraska: “Today, countless farmers, ranchers, homebuilders, manufacturers, county governments, golf courses, and small businesses are loudly celebrating the demise of EPA’s proposed WOTUS rule. For over two years, our coalition which represents the very industries who would have had to bear the brunt of this federal land grab, have worked tirelessly to stop this breathtaking assumption of authority by the federal government that flies in the face of Congressional intent, legal precedents, and even science. We want to thank the Trump Administration and EPA Administrator Pruitt specifically for now going back to the drawing board to write a new rule that actually protects water without trampling the rights of businesses and state regulatory agencies.”

Greg Ibach, Director of the Nebraska Department of Agriculture: “I applaud the Trump Administration and Secretary Pruitt’s announcement to walk away from the previous administration’s WOTUS rule and begin the process to develop a new rule. The expansive reach and inability to determine what water or land may fall under jurisdiction under the existing regulation puts Nebraska’s agriculture industry in jeopardy. Our farmers and ranchers have proven to be thoughtful stewards of our land and resources, and jurisdiction of those resources should be the responsibility of the states. I look forward to the development of a new rule, founded in common sense, that will support Nebraska’s ability to protect our water and land resources.”

Chairman of the Senate Environment and Public Works Committee, Senator John

Barrasso (WY): “The WOTUS rule would have put backyard ponds, puddles, and prairie pot holes under Washington’s control. I applaud the Trump administration for working to remove this indefensible regulation. I will continue to work closely with the administration as it seeks commonsense ways to keep America’s water clean and safe.”

Senator Deb Fischer (NE): “Today’s announcement from the administration signals another important step toward full removal of the harmful WOTUS rule. All Nebraskans would have been affected by the far-reaching consequences of this misguided policy. I will continue to monitor the WOTUS withdrawal process to help ensure we see common-sense rulemaking that puts Nebraskans in charge of the decisions involving our state’s water resources.”

Senator Steve Daines (MT): “Today marks the beginning of restoring private property rights while protecting our environment. Out of state D.C. bureaucrats shouldn’t impose regulations that hurt Montana farmers, ranchers and landowners.”

Senator Joni Ernst (IA): “I am pleased that the Trump administration is taking another important step toward eliminating this burdensome WOTUS rule. In Iowa, 97 percent of the land is subject to extensive overregulation by the EPA and unnecessarily hamstringing our farmers, businesses and manufacturers. All across Iowa, folks are calling for this rule to be scrapped, which is why I have led efforts in the Senate to do just that. This is good news for Iowa and rural communities across the country as we move closer to finally eliminating this overreaching rule.”

Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry, Senator Pat Roberts (KS): “I’m pleased Administrator Pruitt and the EPA has listened to our concerns and has taken an important first step to rescind the infamous WOTUS rule. For too long, this rule has burdened not only farmers and ranchers, but landowners of all sizes, across the country. With a rewrite of the WOTUS rule, I look forward to seeing a rule that recognizes and respects the environmental strides taken by the American farmer and rancher. I’m grateful to have an EPA that listens to and addresses the concerns of rural America, a vital segment of our economy and true stewards of our natural resources.”

Speaker of the U.S. House, Paul Ryan: “The West has finally won in the battle over the Obama administration’s WOTUS rule. This regulation would have been a disaster for the West and rural communities across the country, giving Washington near-total control over water resources. The livelihoods of American farmers, ranchers, and entrepreneurs were at stake. I applaud the Trump administration for siding with American jobs and rescinding this harmful rule.”

U.S. Rep. Paul Gosar (AZ): Today's announcement is excellent news for communities throughout the country. The Obama Administration threatened the very livelihoods of farmers, ranchers, small businesses and water users when unilaterally enacting the job-killing WOTUS Rule by executive fiat. The Trump Administration has already made great strides in rolling back this unconstitutional mandate and I am thrilled to see EPA Administrator Pruitt continue that good work with today's proposed rule. Western Caucus members look forward to working closely with the administration to put a nail in the coffin of Gina McCarthy's water grab. "

U.S. Rep. Scott Tipton (CO): "This announcement from Administrator Pruitt is welcome news. State law and priority-based systems have ensured clean, safe, and reliable water supplies for over a century in Colorado and the West. The WOTUS rule would have usurped long-held state water law and threatened access to private water rights. Western water users will now have much needed certainty while the EPA re-writes the definition of 'Waters of the United States.'"

U.S. Rep. Dan Newhouse (WA): "I applaud the action taken by the EPA and U.S. Army Corps of Engineers to follow up on President Trump's order to review the intrusive and overreaching Waters of the United States rule. I look forward to working with my colleagues and EPA Administrator Pruitt to replace the ill-conceived WOTUS rule with a commonsense proposal that protects clean water, as well as the water and property rights of farmers, ranchers, small businesses, and water users across the country."

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rules of the Obama Administration. You think about the impact it's had on rural communities, on our cattlemen and farmers—it's making it more and more difficult for hardworking Americans to be successful. It's something I've heard about frequently in Eastern Washington. Thank you to President Trump and his administration for taking action to ensure this rule no longer targets our rural communities.”

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U.S. Rep. Louie Gohmert (TX): Washington bureaucrats in cubicles should not be deciding the fate of our waterways, nor should they be allowed to completely and arbitrarily control the economic fate of landowners even to the point of ending their ability to make a living. Unelected bureaucrats have, for years, been enviously dreaming of the day they could control American landowners’ property by the backdoor methods of completely controlling everything involving water on or near the land. Repealing the Obama Administration’s WOTUS Rule is essential in getting the federal government out of everyday farming operations. It is neither right nor fair to subject producers and landowners to jurisdictional protocols and extraordinary levels of compliance charges. Today the EPA took a giant step forward in safeguarding the water rights of hard-working Americans and ending the federal power grab the Obama Administration engineered. It is a victory for those who love liberty and something called private property.”

U.S. Rep. Andy Biggs (AZ): I applaud Administrator Pruitt for his proposal to repeal the Waters of the United States (WOTUS) Rule, which was one of the most onerous rules from the Obama administration. WOTUS was opposed by over 200 organizations and local communities and would have had devastating effects on western states, including Arizona. This action provides another example that the Trump administration favors freedom and prosperity for our economy over regulatory outreach, and we join the administration in their efforts.”

U.S. Rep. Doug Collins (GA): “Northeast Georgia farmers, ranchers, and small businesses are natural conservationists who have been overburdened by the illogical

Waters of the United States regulation. I applaud the Army Corps of Engineers and Environmental Protection Agency for their move to repeal the WOTUS rule in favor of statutes that actually serve our communities and steward their natural resources wisely.”

U.S. Rep. Markwayne Mullin (OK): “Since the previous administration put the WOTUS Rule in place, I have been fighting tooth and nail to overturn it. The harmful effects it has on our farmers, ranchers, and small businesses are felt nationwide. Moreover, the WOTUS Rule allowed Washington bureaucrats to regulate the streams and creeks in the backyards of Oklahomans, when in reality these bureaucrats don’t know the first thing about a backyard like mine.” “The rule proposed today by the EPA and Army Corps of Engineers delivers the long overdue relief from this unlawful water grab that our farmers and ranchers desperately need. I’m grateful to EPA Administrator Scott Pruitt for acting swiftly to repeal this misguided rule.”

U.S Rep. Kristi Noem (SD): “Under the Obama-era WOTUS rule, treating your lawn for mosquitos, putting up a fence in your backyard or spraying your crops could become federally regulated activities that carry substantial fines if violations occur – knowingly or unknowingly. The Trump administration is right to propose a repeal.”

U.S Rep. Liz Cheney (WY): “The Clean Water Rule was a power grab by the Obama Administration that attempted to expand federal control and regulations well beyond the initial scope of Waters of the U.S. The rule threatened the loss of precious resources for hardworking ranchers and farmers in Wyoming, and if left unchecked, would have devastated our rural economy. I am pleased to see EPA Administrator Pruitt and the Army Corps of Engineers taking these steps to return power to the states and provide them with regulatory certainty. I also remain committed to working in Congress towards a full repeal of burdensome regulations imposed by the previous administration.”

House Agriculture Committee Chairman K. Michael Conaway (TX-11): “WOTUS has never been about clean water, it was about feeding the Obama EPA’s insatiable appetite for power. Well that ends now. Today’s EPA announcement is an important first step to getting the federal government out of America’s backyards, fields and ditches and restoring certainty and integrity to our regulatory process. But our work isn’t done. As the case of California farmer John Duarte clearly highlights, the Corps and DOJ also need to re-evaluate and revise their enforcement of the Clean Water Act and WOTUS to ensure we protect our farmers and ranchers from onerous fines and penalties that threaten their way of life. I have confidence this administration will get the policy right and allow farmers and ranchers to be the capable stewards of the land they’ve always been.”

U.S. Rep. Bob Gibbs (OH): “I applaud Administrator Pruitt’s announcement to withdraw

the Obama-era Waters of the United States rule, which expanded federal authority at the expense of the states and eroded private property rights. The EPA should not treat farmers, ranchers, homebuilders, local governments, or state environmental agencies as adversaries but rather collaborators in drafting a new WOTUS rule. American farmers who feed the world are among those most concerned with protecting our environment. The next WOTUS rule should take their opinions and concerns into account and I look forward to working with Administrator Pruitt to craft a reasonable rule that protects the environment and private property rights at the same time.”

U.S. Chamber of Commerce Senior Vice President for Environment, Technology, and Regulatory Affairs Bill Kovacs: “We commend EPA for taking an analytical approach to repealing and fixing the misguided WOTUS rule. Now, all stakeholders will have an opportunity to provide public comment, and the agency will have the proper time to analyze the input and unwind a confusing rule that impacted America’s businesses, farmers, and land owners. The final WOTUS rule issued by the last administration was unworkable, a fact acknowledged by courts around the country, and amounted to a massive grab of regulatory authority by an EPA that was overreaching. We look forward to working with Administrator Pruitt and his team to craft a rule that protects public health and the environment, while giving clarity and certainty to our nation’s farmers and job creators.”

National Farmers Union (NFU) President Roger Johnson: “Family farmers and ranchers are the stewards of our land, and they understand the importance of clean water today and for future generations. Farmers also need regulatory certainty. NFU was engaged in the WOTUS rulemaking process to ensure family farmers ended up with an appropriate and definitive final rule, yet opposed the final WOTUS rule because it was ultimately an expansion of the Clean Water Act’s jurisdiction. Any new rule should ensure the agriculture community can conduct its business free from fear of undue regulatory interference and without sacrificing the agencies’ ability to protect the United States’ water resources.”

Texas farmer Wesley Spurlock, president of the National Corn Growers Association: “The goal of the Clean Water Act is to restore and maintain the integrity of the nation’s waters. The 2015 rule moved us further away from that goal. Repealing it is an important first step toward providing farmers the certainty and clarity we have long desired. We are thankful this Administration is working to draw clear lines in terms of what is and what is not jurisdictional under the Clean Water Act. In doing so, they will enable farmers to implement best management practices such as grass waterways and buffer strips without the burden of bureaucratic red tape or fear of legal action. These types of land improvements have enormous water quality benefits, such as reducing sediment and nutrient runoff—a win for farmers and the environment. Government should be making these actions easier, not more difficult. We salute the EPA and Army Corps of Engineers for their efforts. We stand committed to working with these agencies as they develop a new rule that defines jurisdictional boundaries in clear terms that are inclusive of the realities of farming.”

National Rural Electric Cooperative Association (NRECA) CEO Jim Matheson: “We appreciate EPA Administrator Pruitt recognizing the need to revisit this overbearing regulation and avoid needless increased costs for millions of electric co-op consumers. As written, the rule would dramatically expand federal oversight of features that only hold water after a rain. This would have increased costs and impaired the ability of co-ops to build and maintain power lines. We encourage EPA and the Army Corps of Engineers to propose a new common-sense rule that recognizes the role of the states, protects the environment, and allows co-ops to continue providing affordable and reliable power.”

Zippy Duvall, president, American Farm Bureau Federation: “Farmers and ranchers across this country are cheering EPA’s proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day. But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That’s why our federal courts blocked it from going into effect for the past two years. Today’s announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected. Farm Bureau looks forward to supporting Administrator Pruitt’s proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states.”

National Mining Association (NMA) President and CEO Hal Quinn: “This sets in motion a welcome correction to a deeply problematic regulation that ignored the careful balance that Congress struck between federal and state water regulation and Constitutional limits on federal authority. Under the guise of clarifying federal Clean Water Act jurisdiction, the WOTUS rule impermissibly expanded federal jurisdiction to virtually any standing body of water -- from roadside drainage ditches to local green energy projects. We look forward to working with the administration as it replaces the WOTUS rule with environmentally responsible policies that provide regulatory clarity for businesses and proper recognition of state authority to manage water quality as Congress intended.”

Edison Electric Institute (EEI) President Tom Kuhn: “EEI’s member companies are committed to a healthy environment and to a clean and affordable energy future. By rescinding the problematic Waters of the United States (WOTUS) rule, EPA Administrator Pruitt and the Army Corps of Engineers have taken an important step to reconsider a rule that, if left unchanged, would have triggered substantial new regulatory requirements for critical electric company operations, creating substantial compliance costs. As EEI and allied stakeholders consistently have noted through comments and through our participation in litigation challenging the current WOTUS rule, our industry supports a new rulemaking that more clearly and narrowly defines which waterbodies are subject to federal jurisdiction, and enhances opportunities to streamline energy infrastructure permitting. We also thank EPA and the Army Corps of Engineers for seeking more input from the states on the rulemaking, and look forward to working with their staffs as they review and revise the regulations.”

National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain: "The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule."

Environmental Council of the States (ECOS) President John Linc Stine, Commissioner of the Minnesota Pollution Control Agency: "Today's proposed rule is a key step in creating an opportunity to develop a regulatory approach to defining waters of the United States in a fully collaborative fashion. We look forward to a productive, results-oriented conversation among states, EPA, the Army Corps of Engineers, and all stakeholders to provide greater regulatory certainty and clarity, and to ensure that waters are protected by an appropriate allocation of state and federal laws, regulations, programs, and resources."

John Konkus

Deputy Associate Administrator

Office of Public Affairs

Environmental Protection Agency

Cell: Personal Phone / Ex. 6

Message

From: Vaughan, Aubrey (Paul) [Aubrey_Vaughan@paul.senate.gov]
Sent: 6/27/2017 8:19:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: WOTUS proposed rule
Attachments: Defense of Environment MCC17002.pdf

Hey Tate,

Hope you're doing well! I was excited to see the WOTUS proposed rule today. I haven't finished reading through yet, but I think this would be a good time for us to reintroduce our bill on navigable waters to reinforce Congressional support for EPA's work on this. Is there a good contact I could send our bill language to? I have a question on the impact of a certain section we currently have in the text –

SEC. 3. APPLICABILITY OF AGENCY REGULATIONS AND GUIDANCE.

(a) IN GENERAL.—The following regulations and guidance shall have no force or effect:

[...]

(4) Any subsequent regulation of or guidance issued by any Federal agency that defines or interprets the term “navigable waters” or “waters of the United States”.

(b) PROHIBITION.—The Secretary of the Army, acting through the Chief of Engineers, and the Administrator of the Environmental Protection Agency shall not promulgate any rules or issue any guidance that expands or interprets the definition of navigable waters unless expressly authorized by Congress.

Thanks so much,

--

Aubrey Vaughan
General Counsel
Office of Senator Rand Paul
167 Russell Senate Office Building
(202) 224-6515

To: Wilcox, Jahan[wilcox.jahan@epa.gov]; Konkus, John[konkus.john@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Graham, Amy
Sent: Tue 6/27/2017 7:58:22 PM
Subject: FW: Western Caucus Members Support Proposed Rule Rolling Back WOTUS

From: Small, Jeff [mailto:Jeff.Small@mail.house.gov]
Sent: Tuesday, June 27, 2017 3:55 PM
To: Ringel, Aaron <ringel.aaron@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: FW: Western Caucus Members Support Proposed Rule Rolling Back WOTUS

Thank you all again for the excellent news today and your efforts!

Below is the press release from Western Caucus.

Sincerely,

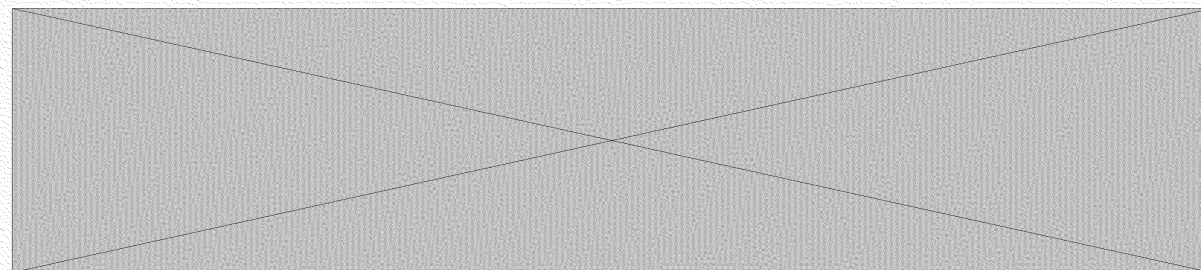
Jeff Small

*Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.*

2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov



From: Roberson, Kelly
Sent: Tuesday, June 27, 2017 3:47 PM
To: Roberson, Kelly
Cc: Small, Jeff
Subject: Western Caucus Members Support Proposed Rule Rolling Back WOTUS



For Immediate Release
Contact: Kelly Roberson

Date: June 27, 2017
Kelly.Roberson@mail.house.gov

Western Caucus Members Support Proposed Rule Rolling Back WOTUS

WASHINGTON, D.C. – Today, Congressional Western Caucus **Chairman Paul A. Gosar D.D.S. (AZ-04)**, **Executive Vice Chairman Scott Tipton (CO-03)**, **Chief Rules Officer Dan Newhouse (WA-04)**, **Chairman Emeritus Steve Pearce (NM-02)**, **Chief Forestry Officer Bruce Westerman (AR-04)**, **GOP Conference Chairwoman Cathy McMorris Rodgers (WA-05)** and Western Caucus members **Rep. Tom Emmer (MN-06)**, **Rep. Doug Lamborn (CO-05)**, **Rep. Mike Johnson (LA-04)**, **Rep. Raúl Labrador (ID-01)**, **Rep. Marthy McSally (AZ-02)**, **Rep. Ralph Abraham (LA-05)**, **Rep. Roger Marshall (KS-01)**, **Rep. Louie Gohmert (TX-01)**, **Rep. Andy Biggs (AZ-05)**, **Rep. Doug Collins (GA-09)**, **Rep. Markwayne Mullin (OK-02)**, **Rep. Kristi Noem (SD-At Large)**, **Rep. Liz Cheney (WY-At Large)** and **Rep. Kevin Cramer (ND-At Large)** released the following statements in response to the Trump Administration’s release of a proposed rule that will kill the Obama Administration’s “Waters of the United States” (WOTUS) Rule by effectively re-codifying the Clean Water Act as it existed prior to 2015:

“Today’s announcement is excellent news for communities throughout the country,” said **Chairman Gosar**. “The Obama Administration threatened the very livelihoods of farmers, ranchers, small businesses and water users when unilaterally enacting the job-killing WOTUS Rule by executive fiat. The Trump Administration has already made great strides in rolling back this unconstitutional mandate and I am thrilled to see EPA Administrator Pruitt continue that good work with today’s proposed rule. Western Caucus members look forward

to working closely with the administration to put a nail in the coffin of Gina McCarthy’s water grab.”

“This announcement from Administrator Pruitt is welcome news. State law and priority-based systems have ensured clean, safe, and reliable water supplies for over a century in Colorado and the West. The WOTUS rule would have usurped long-held state water law and threatened access to private water rights. Western water users will now have much needed certainty while the EPA re-writes the definition of ‘Waters of the United States,’” said **Congressman Tipton**

Congressman Newhouse stated, “I applaud the action taken by the EPA and U.S. Army Corps of Engineers to follow up on President Trump’s order to review the intrusive and overreaching Waters of the United States rule. I look forward to working with my colleagues and EPA Administrator Pruitt to replace the ill-conceived WOTUS rule with a commonsense proposal that protects clean water, as well as the water and property rights of farmers, ranchers, small businesses, and water users across the country.”

Congressman Pearce remarked, “This is great news for stronger job growth throughout New Mexico. Under the WOTUS Rule, Washington bureaucrats were given complete authority to regulate small streams along with natural and manmade ditches on lands owned by farmers, ranchers, and small businesses. This unlawful expansion of power proposed by the Obama Administration would drive up costs for landowners and cost thousands of jobs. I’m pleased to see the EPA and the Army Corps of Engineers recommit to strengthening rural economies.”

Congressman Westerman said, “I am happy that the administration has listened to the concerns of those most impacted by this egregious, unconstitutional overreach by the Environmental Protection Agency. The decision to withdraw the previous administration’s WOTUS rule is a win for private property rights and will have a positive impact on farmers, ranchers, and other job creators.”

“WOTUS is one of the most burdensome EPA rules of the Obama Administration. You think about the impact it’s had on rural communities, on our cattlemen and farmers— it’s making it more and more difficult for hardworking Americans to be successful,” said **Congresswoman McMorris Rodgers**. “It’s something I’ve heard about frequently in Eastern Washington. Thank you to President Trump and his administration for taking action to ensure this rule no longer targets our rural communities.”

“I am pleased with today’s actions by the Trump Administration to repeal the harmful and overly burdensome WOTUS rule,” said **Congressman Emmer**. “While there is still work to be done to redefine WOTUS, this step gives our nation’s farmers, manufacturers and home builders greater certainty and gets the federal government out of their way. This is a welcome move that will benefit our economy today and for years to come.”

Congressman Lamborn said, “The previous administration used the vague language in the WOTUS Rule to harm local communities—including ranchers, farmers, small business owners. I am grateful that this new ruling will establish regulatory certainty and restore order to state and tribal water laws that should have jurisdiction over these bodies of water. I look

forward to a revision of this rule that will empower local landowners instead of giving power solely to the federal government.”

Congressman Johnson remarked, “The so called ‘WOTUS Rule’ was a gross overreach by the Obama Administration and put mud puddles and backyard ditches under government control. Farmers and every day Americans all across the country have been subjected to new, burdensome regulations that kill jobs and further hinder the economy. Removing this rule will restore common sense to water regulation and return power back to the states and to the people.”

Congressman Labrador stated, “I applaud the Trump administration for continuing to roll back excessive regulations that are harming Idaho’s businesses and communities. I strongly opposed the previous administration’s ‘WOTUS’ rule and I worked with my colleagues on a legislative fix. Regulatory reform is critical to Idaho’s economy, and I appreciate the administration for continuing to show leadership on these types of issues.”

“WOTUS is a sweeping regulation written by unelected bureaucrats that would give the EPA jurisdiction over any type of body of water on private land—lakes, ponds, creeks, and even desert washes,” remarked **Congresswoman McSally**. “I have heard from countless small businesses, farmers, and ranchers that this rule prevents them from doing their job, which is why I led dozens of my colleagues in Congress in writing to the Administration in February urging the President to reverse this rule for the sake of Southern Arizona and communities throughout the United States. I am pleased with the EPA’s decision to repeal the harmful WOTUS rule—and I know that Americans across the country are relieved by this news.”

“I represent one of the largest row crop districts in the nation, and nearly every farmer I talk to wants this rule repealed,” stated **Congressman Abraham**. “As an active farmer myself, I understand and share their frustrations with WOTUS. Today’s news is a welcomed relief for farmers around this country, and I thank President Trump and Administrator Pruitt for the actions they’ve taken so far to repeal this terrible rule.”

“I commend and thank the Trump Administration for their decisive and effective actions to repeal the misguided Waters of the United States rule,” said **Congressman Marshall**. “As Kansas farmers, ranchers, businesses and even municipalities know all too well, WOTUS dramatically expanded the reach of the federal government with minimal improvements in water quality. Today’s announcement serves as a tremendous relief to Kansans and provides the regulatory certainty we need to grow. This is yet another exciting step in fulfilling this Administration and Congress’ promise to return government to its proper role.”

Congressman Gohmert said, “Washington bureaucrats in cubicles should not be deciding the fate of our waterways, nor should they be allowed to completely and arbitrarily control the economic fate of landowners even to the point of ending their ability to make a living. Unelected bureaucrats have, for years, been enviously dreaming of the day they could control American landowners’ property by the backdoor methods of completely controlling everything involving water on or near the land. Repealing the Obama Administration’s WOTUS Rule is essential in getting the federal government out of everyday farming operations. It is neither

right nor fair to subject producers and landowners to jurisdictional protocols and extraordinary levels of compliance charges. Today the EPA took a giant step forward in safeguarding the water rights of hard-working Americans and ending the federal power grab the Obama Administration engineered. It is a victory for those who love liberty and something called private property.”

Congressman Biggs stated, “I applaud Administrator Pruitt for his proposal to repeal the Waters of the United States (WOTUS) Rule, which was one of the most onerous rules from the Obama administration. WOTUS was opposed by over 200 organizations and local communities and would have had devastating effects on western states, including Arizona. This action provides another example that the Trump administration favors freedom and prosperity for our economy over regulatory outreach, and we join the administration in their efforts.”

“Northeast Georgia farmers, ranchers, and small businesses are natural conservationists who have been overburdened by the illogical Waters of the United States regulation,” said **Congressman Doug Collins**. “I applaud the Army Corps of Engineers and Environmental Protection Agency for their move to repeal the WOTUS rule in favor of statutes that actually serve our communities and steward their natural resources wisely.”

“Since the previous administration put the WOTUS Rule in place, I have been fighting tooth and nail to overturn it,” **Congressman Mullin** said. “The harmful effects it has on our farmers, ranchers, and small businesses are felt nationwide. Moreover, the WOTUS Rule allowed Washington bureaucrats to regulate the streams and creeks in the backyards of Oklahomans, when in reality these bureaucrats don’t know the first thing about a backyard like mine.” “The rule proposed today by the EPA and Army Corps of Engineers delivers the long overdue relief from this unlawful water grab that our farmers and ranchers desperately need. I’m grateful to EPA Administrator Scott Pruitt for acting swiftly to repeal this misguided rule.”

“Under the Obama-era WOTUS rule, treating your lawn for mosquitos, putting up a fence in your backyard or spraying your crops could become federally regulated activities that carry substantial fines if violations occur – knowingly or unknowingly. The Trump administration is right to propose a repeal,” said **Congresswoman Noem**.

Congresswoman Cheney remarked, “The Clean Water Rule was a power grab by the Obama Administration that attempted to expand federal control and regulations well beyond the initial scope of Waters of the U.S. The rule threatened the loss of precious resources for hardworking ranchers and farmers in Wyoming, and if left unchecked, would have devastated our rural economy. I am pleased to see EPA Administrator Pruitt and the Army Corps of Engineers taking these steps to return power to the states and provide them with regulatory certainty. I also remain committed to working in Congress towards a full repeal of burdensome regulations imposed by the previous administration.”

“Today’s action marks the end of step one in a two-step process to undo the Obama Administration’s overreach to even further expand the federal government’s control of our

land. This regulatory relief is not only important to our farmers, ranchers, and energy producers, but any individual or business wanting to undertake a construction project. Reestablishing the federal government's role to only navigable waters under any reasonable person's definition will help unleash economic development and put power back in the hands of the people closest to a project's impact," said **Congressman Cramer**.

Background:

(Courtesy of the EPA)

Today, the Environmental Protection Agency, the Department of Army, and the Army Corps of Engineers (the agencies) released a proposed rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS. For the pre-publication Federal Register Notice and additional information click [HERE](#).

This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of "waters of the United States." The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the President Trump's Executive Order.

(Courtesy of the Congressional Western Caucus)

On February 28, 2017, President Trump signed Executive Order 13778 requiring the Administrator of the Environmental Protection Agency (EPA) and the Assistant Secretary of the Army for Civil Works to review the Obama Administration's Waters of the United States (WOTUS) Rule and rescind any aspect of WOTUS inconsistent with federal law in order to